United Nations S/2002/9

Security Council

Distr.: General
2 January 2002

Original: English

Letter dated 2 January 2002 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

The Counter-Terrorism Committee has received the attached report from Latvia, submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I should be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman
Counter-Terrorism Committee

02-22159 (E) 010402

Annex

Note verbale dated 28 December 2001 from the Permanent Mission of Latvia to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

The Permanent Mission of the Republic of Latvia presents its compliments to the Secretary-General of the United Nations and has the honour to transmit hereby the report of the Republic of Latvia on the implementation of United Nations Security Council resolution 1373 (2001) in the Republic of Latvia in accordance with its paragraph 6 (see enclosure).

The Permanent Mission of Latvia avails itself of the opportunity to renew to the Secretary-General of the United Nations the assurance of its highest consideration.

Enclosure

Report of the Republic of Latvia on combating international terrorism pursuant to paragraph 6 of Security Council resolution 1373 (2001) of 28 September 2001

Immediately after the terrorist attacks on the 11th of September the State President, the Prime Minister and other highest officials of Latvia came out with clear statements unconditionally condemning the terrorist attacks as attacks on democracy and its values throughout the world. Moreover, they pledged full assistance from Latvian to the efforts of international anti-terrorism coalition to combat terrorism in any of its expression.

Latvia is totaly committed to cooperate with international organizations and especially the United Nations, the Counter Terrorism Committee and the member states of the Nations in fighting any form of terrorism.

Consequently, in October 2001 the Prime Minister of Latvia established a governmental working group, which set out general principles and objectives on fighting terrorism. The working group elaborated the respective action plan. Subsequently, the Cabinet of Ministers on October 16th adopted "The Action Plan of the Government of Latvia for Combating Terrorism" designating a far-reaching package of legislative, executive and regulatory measures in the sphere of national and international co-operation.

The Action Plan foresees the enhancement of national and international co-operation and strengthening of legislative and administrative capacity in the following areas of the state jurisdiction:

- foreign policy – rigorous examination and control of visa issuing; restriction of diplomatic contacts with states supporting terrorism; conclusion of bilateral agreements on protection of classified information; implementation of the UNSCR 1267, 1333 and 1373 into domestic legislation; the ratification/accession to international conventions on prohibiting and combating terrorism and terrorist activities, etc.;

- strengthening the cooperation among the state security establishments and their collaboration with similar establishments in other antiterrorism coalition states; improving the circulation mechanism of relevant information among the abovementioned institutions, etc.;

- enhancement of domestic legislation – the adoption of relevant amendments to the law "On Prevention of the Laundering of the Proceeds from Crime", "Criminal law", "The Code of Criminal Procedure", "Credit Institution Law", "Law on State Security Establishments", "Customs Law", etc.;

- the control of immigration process – strengthening of immigration control, improvement of the immigration data base, heightening of the border control procedure, in particular as to regard to persons immigrating from the countries that support terrorism, etc.;

- tightening the export, import and transit control of strategic goods;

- strengthening the administrative capacity of state institutions, including deepening of bilateral cooperation in combating terrorism: consultations among officials, experts; training for officers and relevant units, etc.;

- strengthening of air travel security on aircraft and in airport through such measures as thorough control of hand luggage and all cargos, etc;

- providing society with respective information and insurance of its readiness to extreme situations such as terrorist acts, etc.

Operative Paragraph 1

1. Sub-paragraph (a) – What measures if any have been taken to prevent and suppress the financing of terrorist acts in addition to those listed in your responses to questions on 1 (b) to (d)?

Immediately after the 11th of September the Commission of the Market of Finances and Capital, the institution in charge of licensing and supervising the credit institutions in Latvia, and the Control Service (Latvia's Financial Intelligence Unit – FIU), a specially established State authority which exercises control over unusual and suspicious financial transactions, reposing on national legislation (The Section IV of the Law "On Prevention of the Laundering of the Proceeds from Crime" authorizes the credit and financial institutions to refrain from executing unusual or suspicious financial transactions, i.e., practically to freeze financial resources or other property) addressed the financial institutions of Latvia requesting them to refrain from financial activities or financial transactions with any individual, legal entity or organization considered to be associated with terrorism or terrorist acts.

In meeting the requirements of the UNSCR 1267, 1333 and 1373 the Control Service and the Commission of the Market of Finances and Capital provided the financial institutions with all available relevant information and lists of individuals and legal entities associated with terrorism, particularly, with Osama bin Laden and al-Qaeda, issued by the UN Committee dealing with Afghanistan sanctions regime, US Office of Foreign Assets Control and other FIUs.

Up to now, no financial transactions or financial assets by persons or entities from the abovementioned terrorist lists have been registered in Latvian credit establishments.

Furthermore, the Defense and Internal Affairs Committee of the Parliament established a working group (including representatives of the Office of the Prosecutor-General, the Control Service, the Security Police, the Ministry of Finances, the Ministry of Foreign Affairs and academic circles) to discuss questions of combating financing of terrorism in regard to necessary amendments to the Latvian legislation. Thus, the amendments to the Law "On Prevention of the Laundering of the Proceeds from Crime" were elaborated and passed to the Parliament for further debate.

In due course of implementation of the Action plan of the Government of Latvia on combating terrorism and in accordance with the Resolution Latvia has initiated the national legislative procedure of ratification of the International Convention for the Suppression of the Financing of Terrorism of December 9,1999. The Minister of Interior Affairs on 18 th of December in New York signed the Convention.

2. Sub-paragraph (b) – What are the offences and penalties in your country with respect to the activities listed in this sub-paragraph?

Section 88 of the Criminal law of Latvia foresees the criminal liability for committing terrorist acts in the Republic of Latvia in the following way:

"(1) For a person who commits causing an explosion or fire, or other intentional acts directed towards destruction of human beings or infliction of bodily injury to or other harm to the health of human beings, or commits destruction or damaging of enterprises, structures, oil or gas lines, power lines, transport routes and means of transport, telecommunications networks or other property with the purpose of harming the Republic of Latvia or its inhabitants, or commits, for the same purpose, mass poisoning, or spreading of epidemics and epizootic diseases,

the applicable sentence is life imprisonment or deprivation of liberty for a term of not less than eight and not exceeding twenty years, with confiscation of property.

(2) For a person who, employing explosion, fire or other generally dangerous means, intentionally commits violent acts, dangerous to life or health, against persons, or destruction or damaging of the property of another person, or commits the threatening of such acts, presented as a term of cessation of the violent acts, where there is reason to believe that these threats may be carried out, with purpose of inducing the State, its institutions or international organizations to take any action or refrain therefrom,

the applicable sentence is life imprisonment or deprivation of liberty for a term of not less than fifteen and not exceeding twenty years and confiscation of property".

As far as the criminalization of willful provision or collection of funds with the intention that these financial resources should be used in order to carry out terrorist acts the Criminal Law foresees that such actions shall be criminalized as participation in the execution of acts stated in the Section 88 of the Law and participators shall be brought to justice.

To fulfill the obligations of the Resolution and by signing the Convention for the Suppression of the Financing of Terrorism state institutions under the guidance of Ministry of Justice has launched the elaboration of amendments to the Criminal Law in three particular areas:

- stating as a separate criminal offence the financing of terrorist groups and terrorist acts in general;
- stating the criminal liability for founding the terrorist organization and enrolment in terrorist organizations;
- reviewing in general the concept of terrorism in national legislation in view of the United Nations and European Union's efforts of constituting the extensive concept of terrorism definition.

The amendments to the Criminal Law shall be passed to the Government of Latvia till 1 March 2002 for adoption.

3. Sub-paragraph (c) – What legislation and procedures exist for freezing accounts and assets at banks and financial institutions? It would be helpful if States supplied examples of any relevant action taken?

On 6 December 2001 the Parliament of Latvia – Saeima accepted in the first reading the draft amendments to the Law "On Prevention of the Laundering of the Proceeds from Crime" which shall establish the mechanism of freezing financial assets of individuals and legal entities associated with terrorism and shall criminalize the financing of terrorist acts and organizations. The aforementioned and consecutive amendments in national legislation shall authorize the Control Service to issue an order to freeze immediately financial assets mentioned above.

The draft amendments to the aforementioned Law provide for the following:

- terrorism is recognized as a predicate criminal offence;
- financial resources and other property are classified as proceeds derived from crime if they are directly or indirectly controlled or owned by a person (natural or legal) included in the terrorist watch list based on suspicion of carrying out acts of terrorism or participation in such acts;
- the Latvian FIU (the Control Service) is the authority that disseminates the information on the persons included in the list to credit and financial institutions;
- the Latvian FIU (Control Service) is authorized to demand credit and financial institutions to suspend debit operations with financial resources in the accounts of such persons or suspend movement of other property of such persons for the period of time up to six months;

- the authority of the Latvian FIU (Control Service) with regard to co-operation has been extended allowing it to co-operate with foreign or international anti-terrorism agencies concerning the issues of control over movement of financial resources or other property linked to terrorism.

Alongside the measures referred to above, it has to be highlighted that the draft amendments to the Regulations of the Cabinet of Ministers of 20 March 2001 No. 127 "On the List of Indicators Pertaining to Unusual Transactions and the Reporting Procedure" has been elaborated by the Cabinet of Ministers, which shall supplement the general mandatory requirement to report suspicious financial transactions with a specific, terrorist-related mandatory requirement to report all transactions involving persons and entities on the terrorist watch list, compiled by the Latvian FIU.

The mandatory reporting described above is to be introduced following the entering into force of the amendments to the Law "On Prevention of the Laundering of the Proceeds from Crime". This will keep the FIU informed about the transactions performed by terrorists and their accomplices and allow the FIU to freeze the movement of such funds.

In contrast to the aforementioned Regulations of the Cabinet of Ministers No. 437, which deals solely with sanctions imposed on the Afghan Islam Emirates (Taliban) the coming amendments to the Law "On Prevention of the Laundering of the Proceeds from Crime" as well as the amendments to the Regulations No. 127 shall target all terrorists and their accomplices irrespective of their country of origin.

The precise scope of states and their competent state authorities and international organizations whose lists shall be the authorative source and base to freeze the relevant financial assets shall be discussed in the executive and legislative branches in the process of acception of the draft amendments to the Law "On Prevention of the Laundering of the Proceeds from Crime".

As far as the practical side is concerned, it would be worth mentioning that since 11 September 2001 Latvian authorities have taken concrete steps to implement the said Regulations. A lot of efforts have been devoted to tracing of transactions performed by terrorists or their accomplices. As a result, the relevant information has been forwarded to the US FIU – FinCen.

Thus, while legislative amendments are in the process, the Financial and Capital Market Commission, on 2 October 2001, sent a letter to all participants of the financial and capital market, requesting to refrain from any transactions with persons and organizations included in the list of suspects for involvement in the perpetration of the terrorist acts in the USA. The list was received from the US Embassy in Latvia. The participants of the financial and capital market were also asked to refrain from any transactions with any persons or organization if the market participants suspect that these persons or organizations might be connected with perpetration of terrorist acts and to inform FIU about such transactions immediately.

4. Sub-paragraph (d) – What measures exist to prohibit the activities listed in this sub-paragraph?

According to the national legislation in force and the consecutive draft amendments the State has a jurisdiction over any person and legal entity operating within the territory of Latvia perpetrating any criminal offence.

Operative Paragraph 2

1. Sub-paragraph (a) – What legislation or other measures are in place to give effect to this sub-paragraph? In particular, what offences in your country prohibit

(i) recruitment to terrorist groups and

(ii) the supply of weapons to terrorists?

What other measures help prevent such activities?

(i) The founding and functioning of the social organizations and associations in Latvia is regulated by the law "On Social Organizations and Associations". The Law states that an organization shall not be registered in case its statutes or other documents on their activities provide information that indicates that the founding and functioning of the respective organization or association is not in conformity with the values of the Constitution of Latvia, national legislation and international agreements binding for the Republic of Latvia.

Furthermore, if in the process of the functioning of the social organization or association it contravenes with the aforementioned legislation and international agreements the responsible state institutions shall dismiss such an organization on the grounds of Article 37 of the aforementioned Law (including if the organization as an entity is purposely committing criminal offences).

In addition, it is forbidden by the Law to establish military or armed units in the territory of Latvia. Furthermore, the social organizations and associations are forbidden to arm their members and to organize military training (Article 17 of the Law).

After the terrorist attacks in the United States of America the state security establishments are strengthening the supervision of any suspicious associations or groups of individuals that might be associated with any terrorist or seperatist organizations.

(ii) The flows of arms and ammunition in the territory of the Republic of Latvia is strongly supervised by responsible state institutions such as the Ministry of interior, the State Police, the Control Committee of Strategic Goods and the customs and border control institutions.

The laws concerning the arms and ammunition state clear and strong requirements for possession and using of arms and ammunition in the framework of acquisition of licence, the responsibilities and duties of possessor or user of arms and ammunition. Thus, the mechanism stated above shall prevent providing with firearms any person or groups of persons that could use them for committing any criminal offence and terrorist acts as well.

Furthermore, the Criminal Law of Latvia foresees severe penalties in the field of the infringement of the mechanism of circulation of arms and ammunition.

Thus, the Law states such criminal offences in the abovementioned field:

Section 73. Manufacture, Amassment, Deployment and Distribution of Weapons of Mass Destruction

For a person who commits manufacture, amassment, deployment or distribution of nuclear, chemical, biological, bacteriological, toxic or other weapons of mass destruction the applicable sentence is life imprisonment or deprivation of liberty for a term of not less than three and not exceeding twenty years.

Section 233. Unauthorised Manufacture, Acquisition, Storage and Sale of Weapons, Ammunition and Explosives

(1) For a person who commits unauthorised manufacture, carrying, conveying or sale of a non-firearm weapon the applicable sentence is deprivation of liberty for a term not exceeding two years, or custodial arrest, or community service, or a fine not exceeding forty times the minimum monthly wage.

(2) For a person who commits a violation of provisions regarding selling firearms or ammunition the applicable sentence is deprivation of liberty for a term not exceeding four years, or a fine not exceeding eighty times the minimum monthly wage, with or without deprivation of the right to engage in specific forms of entrepreneurial activity for a term not exceeding five years.

(3) For a person who commits manufacturing, acquiring, storing, carrying, conveying or selling firearms, ammunition, explosive substances or explosive devices, without the relevant licence the applicable sentence is deprivation of liberty for a term not exceeding ten years or custodial arrest, with or without deprivation of the right to engage in specific forms of entrepreneurial activity for a term of not less than two and not exceeding five years.

Section 237. Violation of Provisions and Procedures Regarding Use of Firearms

For a person who commits a violation of provisions or procedures regarding the use of firearms, if commission thereof is by a person authorised to acquire, store or carry firearms and serious consequences are caused by such violation the applicable sentence is deprivation of liberty for a term not exceeding five years, or custodial arrest, or community service, or a fine not exceeding one hundred times the minimum monthly wage".

At the multilateral level, Latvia participates in all established mechanisms to control trade in arms and to prevent any arms, and in particular weapons of mass destruction, being passed on to terrorist groups. Latvia is a State Party to the NPT, CWC and BTWC. It has acceded to the EU's Code of Conduct on Arms Exports.

2. Sub-paragraph (b) – What other steps are being taken to prevent the commission of terrorist acts, and in particular, what early warning mechanisms exist to allow exchange of information with other states?

Sharing of intelligence and other information among the state security institutions and with partner services in the Baltic States and other countries of anti-terrorism coalition is an important part of the Government's Action Plan. Latvia has proposed to the EU and NATO member countries and certain other states to conclude agreements on protection of classified information.

In addition, the Ministry of Defence is deepening the bilateral cooperation in training on combating terrorism.

Furthermore, the states security establishments have developed a broad information strategy alongside its work to monitor relevant groups and gather data on potential terrorist and organized crime networks in Latvia and internationally.

3. Sub-paragraph (c) – What legislation or procedures exist for denying safe haven to terrorists, such as laws for excluding or expelling the types of individuals referred to in this sub-paragraph? It would be helpful if States supplied examples of any relevant action taken.

The immigration of persons in the territory of the Republic of Latvia is controled and supervised by respective state institutions such as the Ministry of Interior, the State Police, the customs and border control institutions.

Thus, a person who arrives in Latvia by crossing the state border at a land border control point, in order to receive asylum and obtain refugee status, shall be immediately brought to the nearest State police station where he/she shall submit an application for obtaining the refugee status. A person who arrives at the Latvian State border

control point in an airport or seaport shall submit an application for obtaining the refugee status before entering Latvia. The application shall be lodged to the State police official at the border control point.

It is a duty of the police official to carry out an interview with the asylum seeker at a State police station. During the interview and the initial examination of the application, an asylum seeker is accommodated at the State police station in the premises provided specifically for these purposes.

If the application is considered to be well founded, the asylum seeker shall be transferred without delay to the nearest accommodation centre for asylum seekers.

The review of the application shall be completed in a period up to three months.

4. Sub-paragraph (d) – What legislation or procedures exist to prevent terrorists acting from your territory against other states or citizens? It would be helpful if states supplied examples of any relevant action taken.

The liability of a person who has committed a criminal offence in the territory of Latvia is determined in accordance with the Criminal Law. The Criminal Law and the Code of Criminal Procedure foresees that any person who has committed any criminal offence in the territory of Latvia shall be brought to justice.

5. Sub-paragraph (e) – What steps have been taken to establish terrorist acts as serious criminal offences and to ensure that the punishment reflects the seriousness of such terrorist acts? Please supply examples of any convictions obtained and the sentence given.

In accordance with the Latvian Criminal Law a serious crime is an intentional offence for which the law provides for deprivation of liberty for a term exceeding five years but not exceeding ten years. The most serious crime, as defined by the Latvian Criminal Law, is an intentional offence for which the Law provides deprivation of liberty for a term exceeding ten years, life imprisonment or the death penalty. Thus, according to the national legislation mentioned above in the Sub-paragraph (b) of the Operative Paragraph 1 terrorist acts fall into the cathegory of serious crime or, in some cases, even the most serious crime.

6. Sub-paragraph (f) – What procedures and mechanisms are in place to assist other states? Please provide any available details of how these have been used in practice.

Latvia has pledged full assistance to the United Nations and member states of the antiterrorism coalition in combating terrorism. As a member state of a wide range of international legal instruments (conventions and bilateral agreements) Latvia is ready to participate in fighting terrorism in any of its expressions.

7. Sub-paragraph (g) – How do border controls in your country prevent the movement of terrorists? How do your procedures for issuance of identity papers and travel documents support this? What measures exist to prevent their forgery etc.?

Aliens and stateless persons may enter the territory of Latvia upon presenting a travel document recognised by Latvia with a valid visa or residence permit. The border control institutions pay special regard to persons entering from terrorism supporting countries.

The embassies of Latvia are carefully examining visa applicants; the "Black List" of the European Union has been checked in every case.

The state security institutions regularly check the operative information from the partner services of foreign countries. Up to now about 30 persons that are mentioned as terrorists or named as persons associated with al-qaeda organization have been checked. There are no stated facts that such persons have entered the territory of Latvia in the period of the last three years.

Furthermore, the border control authorities have been asked to detain 62 persons that have been known to forge identity documents in the past.

Operative Paragraph 3

1. Sub-paragraph (a) – What steps have been taken to intensify and accelerate the exchange of operational information in the areas indicated in this sub-paragraph?

The Paragraph B of the Action Plan of the Government of Latvia envisions the fortifying exchange of relevant information among the state security establishments in Latvia and cooperation with the partner organizations in the Baltic states in the terrorism related issues of the immigration, customs and security policies. Thus, the Security Police, the Constitution Protection Bureau, the Control Service and other institutions of Latvia regularly exchange information with foreign state security establishments and international organizations on potential terrorist attacks and terrorism related issues. In addition, the customs institutions of Latvia after the attacks on the United States of America strengthened the border control of persons and goods, especially in respect to the import and export of strategic goods.

Furthermore, the Action Plan foresees to conclude bilateral agreements on the protection of classified information with more than 20 countries that shall enhance the cooperation among the state security institutions.

As a member state of INTERPOL Latvia is actively engaged in the organization's activities to combat terrorism according to its resolutions by exchanging information with other member states. In addition, the responsible state institutions of preventing money laundering and financing of terrorism are operating closely with the FATF recommendations.

2. Sub-paragraph (b) – What steps have been taken to exchange information and co-operate in the areas indicated in this sub-paragraph?

At present Latvia has concluded bilateral agreements on co-operation in combating organized crime and cooperation in the area of justice and interior matters with Czech Republic, Croatia, Israel, Slovakia, Finland, Ukraine, Hungary, Turkey, Germany and Sweden. The abovementioned agreements include also the cooperation in the area of combating terrorism. Thus, the agreements encompass the obligation of states to cooperate on exchange of information about possible terrorist acts. In addition, on 17 October 2001 the Cabinet of Ministers accepted the Agreement between Latvia and Georgia on Cooperation in Combating Terrorism, Illicit Drug Trafficking and Organized Crime.

3. Sub-paragraph (c) – What steps have been taken to cooperate in the areas indicated in this sub-paragraph?

Since regaining independence, Latvia has frameworked a wide system of bilateral and multilateral agreements that helps state to collaborate with other states in combating terrorism in any forms and the organized crime in general.

In addition to the aforementioned in the sub-paragraph (b) on 17 May 2001 Latvia has ratified the UN Convention against Transnational Organized Crime and yet has started to review the Protocols of the Convention.

Furthermore, Latvia is also a State Party to the New York Framework Convention on Narcotic Drugs; the Vienna Convention on Psychotropal Substances; the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxic Weapons and on their Destruction; the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be Deemed to be Excessively Injurous or to have Indiscriminate Effects and the Vienna Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.

In the framework of the Council of Europe, Latvia has acceded to the European Agreement on the Transmission of Applications for Legal Aid; the European Convention on Extradiction and its two additional Protocols; The European Convention on Mutual Assistance in Criminal Matters and its Additional Protocol; the European Convention on the Transfer of Proceedings in Criminal Matters and the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime.

In 2002 the Ministry of Interior of Latvia shall initiate the national legislative process of ratification of the Convention on Cybercrime and the Ministry of Justice respectively – the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters.

4. Sub-paragraph (d) – What are your government's intentions regarding signing and/or ratifying the conventions and protocols referred to in this sub-paragraph?

Latvia has acceded to/ratified following conventions relating to combating terrorism:

1. The Convention on Offences and Certain Other Acts Committed on Board Aircraft (in force in the territory of the Republic of Latvia since 8 September 1997);

2. The Convention for the Suppression of Unlawful Seizure of Aircraft (in force in the territory of the Republic of Latvia since 22 November 1998);

3. The Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation and its Protocol (in force in the territory of the Republic of Latvia since 13 May 1997);

4. The Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (in force in the territory of the Republic of Latvia since 14 May 1992);

5. The Convention on the Marking of Plastic Explosives for the Purpose of Detection (in force in the territory of the Republic of Latvia since 16 November 1999);

6. The European Convention on the Suppression of Terrorism (in force in the territory of the Republic of Latvia since 21 July 1999).

To fulfil the obligations set out in the Action Plan of the Government of Latvia and the relevant political and legal international instruments Latvia has taken the concrete steps to accede/sign or ratify the following conventions in year 2002:

1. The International Convention Against the Taking Hostages (the respective provisions of the convention already has been incorporated in the Criminal law);

2. The Convention on the Physical Protection of Nuclear Material;

3. The Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation;

4. The Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf;

5. The International Convention for the Suppression of Terrorist Bombings.

In due course of implementation of UNSCR 1373, Latvia has initiated the national legislative process of ratification of the International Convention for the Suppression of the Financing of Terrorism of December 9, 1999. The aforementioned Convention has been accepted in the Cabinet of Ministers on 11 December 2001 and signed by the Minister of Interior in New York on 18 December 2001.

5. Sub-paragraph (e) – Provide any relevant information on the implementation of the conventions, protocols and resolutions referred to in this sub-paragraph.

Latvia has implemented all the requirements of the international legal instruments on combating terrorism by the adoption of the relevant laws or regulations of the Cabinet of Ministers or elaboration of amendments to the existing national legislation.

In addition to the aforementioned, on 8 October 2001 the Cabinet of Ministers adopted regulations "On the Implementation of the United Nations Security Council Sanction Regime against the Islamic Emirate of Afghanistan" based on the United Nations Security Council Resolution 1267 of 15 October 1999 and Resolution 1333 of 19 December 2000. Thus, the Control Service provided the financial institutions with lists of individuals and legal entities considered to be associated with terrorism, including persons associated with Osama bin Laden and al-Qaeda organization, provided by the UN Sanctions Committee. At present there are no stated facts about such financial transactions or financial assets in Latvian financial establishments.

6. Sub-paragraph (f) – What legislation, procedures and mechanisms are in place for ensuring asylum seekers have not been involved in terrorist activity before granting refugee status? Please supply examples of any relevant cases.

According to the Law "On Asylum Seekers and Refugees in the Republic of Latvia" the procedure of granting the refugee status in Latvia is based on the grounds of generally accepted international human rights principles. The Law states also the grounds, which preclude the granting of refugee status.

Thus, refugee status shall not be granted to a person in Latvia if the person has committed a crime against peace, a war crime or a crime against humanity, crimes of genocide within the meaning defined in international agreements which have been adopted in order to carry out measures against crimes of this kind; the person has committed a serious non political crime outside Latvia, while travelling to Latvia as an asylum seeker; the person belongs to a terrorist or other criminal organization, or the person is guilty of committing acts which are contrary to the goals and principles of the United Nations.

Furthermore, Latvia has acceded to the UN Convention relating to the Status of Refugees of 28 July 1951 and the Protocol to the Convention of 31 January 1967.

The authority in charge - Refugee Affairs Centre - has developed a close cooperation with related authorities in Sweden and Denmark, as well as respective international institutions, such as, the office of UNHCR. The exchange of information between the Refugee Affairs centre and respective authorities in Estonia and Lithuania, and the EU institutions is a constant subject matter.

Latvia is cooperating closely with its neighboring countries Lithuania, Estonia within the framework of the Baltic States Council of Ministers Migration Committee and immigration institutions of the Russian Federation.

7. Sub-paragraph (g) – What procedures are in place to prevent the abuse of refugee status by terrorists? Please provide details of legislation and/or administrative procedures, which prevent claims of political motivation being recognised as grounds for refusing requests for the extradiction of alleged terrorists. Please supply examples of any relevant cases.

Section 26 of the Law "On Asylum Seekers and Refugees in the Republic of Latvia" foresees that refugee status shall be withdrawned if it has been obtained under false pretences (in order to obtain refugee status, the person has intentionally provided false information significant to the granting of refugee status), for example, the violation of prescriptions concerning the grounds which preclude the granting of refugee status or the person has been found guilty of an especially serious crime which poses a threat to the society.

Furthermore, in accordance with the European Convention on the Suppression of Terrorism, Latvia as a State Party has stated that for purposes of extradiction none of the criminal offences stated in Article 1 of the abovementioned Convention is regarded as a political offence or as an offence connected with a political offence, or as an offence inspired by political motives.

3.3. States may include in their reports additional relevant information, including information on the issues covered by Paragraph 4 of Resolution 1373 (2001). They may also include general observations on the implementation of the resolution, and outline any problems encountered.

The Latvian policy in combating international terrorism is reposed on the international efforts to fight terrorism in all its forms. The policy is closely connected with other efforts to eliminate international organized crime, drug trafficking and money laundering.

Latvia participates in the Multidisciplinary Group on International Action against Terrorism (GMT) established by the Council of Europe. Furthermore, the state has carefully studied with a view of incorporating relevant provisions in its national legislation the Report of the Secretary General of the Council to improve its policy against terrorism. As a candidate country of the European Union, Latvia is taking measures to introduce the emerging EU acquis in the area of fight against terrorism.